

SECRET



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October 25, 2001

BOX: MISSING PARTS

Commissioner for Patents
Washington D.C. 20231

Attorney Docket: **IIZ 123**

Attention: Office of Initial Patent Examination

Re: Patent Application of:
Applicant(s) : Shinji OHUCHI
Application No. : 09/843,650
Filed : April 27, 2001

Sir:

In response to the Notice to File Missing Parts dated June 22, 2001 and the Notice of Incomplete Reply dated September 26, 2001, submitted herewith are:

- [X] Response to PTO Assertion that Abstract was not Provided for this Application
- [X] Copy of Abstract of the Disclosure as filed on April 27, 2001 (1 page).
- [X] Copies of U.S. Patent and Trademark Office Notices dated June 22, 2001 and September 26, 2001.

TOTAL FEE SUBMITTED \$0.00

Should any additional fee be required, please charge our Deposit Account No. 18-0002 and advise us accordingly.

Respectfully submitted,

Steven M. Rabin - Registration No. 29,102
Telephone: 202-659-1915
Telefax: 202-659-1898
CUSTOMER NO. 23995

FEE ENCLOSED: \$0.
Please charge any further
fee to our Deposit Account
No. 18-0002

October 25, 2001

Date

SMR:tlc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Not Assigned
Art Unit: Not Assigned

In Re PATENT APPLICATION Of:

Applicant : Shinji OHUCHI

Applic. No. : 09/843,650

Filed : April 27, 2001

For SEMICONDUCTOR APPARATUS
APPARATUS AND METHOD
FOR FABRICATING THE SAME

Attorney Ref. : IIZ 123

)
) **RESPONSE TO PTO**
) **ASSERTION THAT ABSTRACT**
) **WAS NOT PROVIDED**
)

October 25, 2001

Box: Missing Parts

ATTENTION: Office of Initial Patent Examination

Commissioner for Patents
Washington, D.C. 20231

Sir:

In the Notice to File Missing Parts dated June 22, 2001 and the Notice of Incomplete Reply dated September 26, 2001, it is asserted that the Abstract has not been submitted. For the reasons stated below, it is submitted that the Abstract was indeed submitted with the other parts of the application on April 27, 2001, so that the present requirement for its submission is improper and accordingly should be withdrawn.

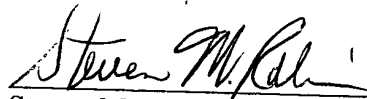
This firm has strict procedures and controls to be followed when new applications are filed with the PTO. Prior to filing a new patent application by our firm, it has been a longstanding procedure that at least three persons, including two attorneys, always review the papers to make sure the application is complete. The application is hand-carried to the Mailroom of the Patent and Trademark Office (PTO) in Crystal City, Virginia, where

two postcard receipts are submitted with the application, one of which is checked and date-stamped by Mailroom personnel, and the other of which is later mailed back to the firm bearing the serial number assigned to the application. The receipts list all items enclosed, including the Abstract and the numbers of pages of text and drawings. Copies of both receipts for the present application, returned by the PTO, are submitted herewith. In this regard, please note that each of the postcard receipts list the Abstract in Item No. 3, which indicates that the Specification, Claims and Abstract comprise 31 pages. As shown on the attached copy of the Abstract, the Abstract bears page number 31.

In view of the above and the evidence provided herewith, it is submitted that the requirement of the Notice to File Missing Parts for an Abstract had already been satisfied when the application was filed, so that its present requirement is improper and should be withdrawn, without any requirement for payment of an extension fee or other fee. Of course, since the Abstract is apparently not included with the remainder of the application papers now held by the PTO, the attached copy may serve as a replacement thereof.

It is believed that no fees are due. However, if it is determined that an Extension of Time fee or other fee is required, please charge such fee(s) to our Deposit Account No. 18-0002 and advise us accordingly.

Respectfully submitted,



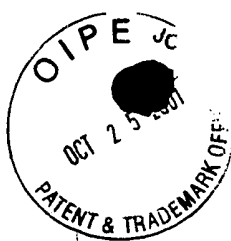
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CUSTOMER NO. 23995

October 25, 2001
Date

SMR:tlc

RESPONSE TO PTO

(09/843,650)



RECEIPT NO. 8681

DATE:

April 27, 2001

ATTY. DOCKET:

IIZ 123

APPLICANT(S): S. OHUCHI et al.

SERIAL NO.: To Be Assigned

FILED: Herewith

FOR: SEMICONDUCTOR APPARATUS AND METHOD FOR FABRICATING THE SAME

PAPERS FILED:

- 1) NEW PATENT APPLICATION TRANSMITTAL
- 2) FEE DETERMINATION RECORD (IN DUPLICATE)
- 3) SPECIFICATION/CLAIMS/ABSTRACT (31 PAGES)
- 4) 23 SHEETS OF DRAWINGS (FIGS. 1-20C)

FEE: \$ 000.00

(CHECK NO.: -----)



**PLEASE DATE STAMP AND RETURN
EARLY NOTIFICATION OF SERIAL NUMBER REQUESTED**

RECEIPT NO. 8681

DATE:

April 27, 2001

ATTY. DOCKET:

IIZ 123

APPLICANT(S): S. OHUCHI et al.

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FEE: \$ 000.00

(CHECK NO.: -----)



**PLEASE DATE STAMP AND RETURN
EARLY NOTIFICATION OF SERIAL NUMBER REQUESTED**



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/843,650	04/27/2001	Shinji Ohuchi	IIZ 123

CONFIRMATION NO. 7849

FORMALITIES LETTER



OC000000006216964

RABIN & CHAMPAGNE, P.C.
Steven M. Rabin
SUITE 500
1101 14th STREET
Washington, DC 20005

Date Mailed: 06/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

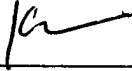
- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$116.
 - \$36 for 2 total claims over 20.
 - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 956.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

A handwritten signature in black ink, appearing to be 'JC' or similar, written above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 25 2001

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/843,650	04/27/2001	Shinji Ohuchi	IIZ 123

CONFIRMATION NO. 7849

FORMALITIES LETTER



OC000000006796527

 RABIN & CHAMPAGNE, P.C.
 Steven M. Rabin
 SUITE 500
 1101 14th STREET
 Washington, DC 20005

Date Mailed: 09/26/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/21/2001 to the Notice to File Missing Parts (Notice) mailed 06/22/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE